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September 10, 2008

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2617

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/673,548; Filed: September 30, 2003
For: **Method and System for Accessing Applications and Data, and for Tracking of Key Indicators on Mobile Handheld Devices**
Inventors: KLOBA *et al.*
Our Ref: 1933.0080000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of $180.00 to cover:

 $180.00 IDS fee under 37 C.F.R. § 1.17(p);

2. Second Supplemental Information Disclosure Statement;

3. Form PTO/SB/08B (1 sheet) listing one (1) document (NPL1);

4. A copy of cited document NPL1;

5. Statement of Substance of Interview; and

6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Fee payment is provided through credit card payment authorization. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael Q. Lee
Attorney for Applicants
Registration No. 35,239

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SEP 08 2008
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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OIPE
SEP 09 2008
PATENT & TRADEMARK OFFICE

In re application of:
KLOBA *et al.*
Application No.: 10/673,548
Filed: September 30, 2003
For: **Method and System for Accessing Applications and Data, and for Tracking of Key Indicators on Mobile Handheld Devices**

Confirmation No.: 6460
Art Unit: 2617
Examiner: NGUYEN, Khai Minh
Atty. Docket: 1933.0080000

Statement of Substance of Interview

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of an Interview Summary issued by the U.S. Patent & Trademark Office dated May 19, 2008, for the above identified patent application. The Interview Summary documented a telephonic Examiner Interview conducted between Applicants' representatives and Examiner Vincent Harper on May 16, 2008. During the Examiner Interview, and as documented in the Interview Summary, Examiner Harper indicated that the Notice of Non-Compliant Amendment sent on May 5, 2008 was inappropriate and should be ignored by the Applicants. Examiner Harper also noted that he will request Examiner Nguyen to respond with a new action. Examiner Nguyen was on leave when Examiner Harper was contacted on May 16, 2008.

Applicants' representatives contacted Examiner Nguyen on September 5, 2008 to inquire about the status of the above identified patent application. Examiner Nguyen advised the Applicants' representatives that a response to the Interview Summary dated May 19, 2008 be filed so that he can record the same in his docket. Accordingly, the Applicants' undersigned representative provides the following statement of the substance of the "Telephonic" interview held with Examiner Harper, on May 16, 2008, regarding the above captioned application.

Discussion with Examiner Harper involved Notice of Non-Compliant Amendment dated May 5, 2008. A summary of the interview with Examiner Harper follows:

Ms. Manzo called Examiner Harper on May 16, 2008 regarding a Notice of Non-Compliant Amendment dated May 5, 2008 for the above-identified patent application. Examiner Harper agreed that the Notice of Non-Compliant Amendment was inappropriate and that he will request Examiner Nguyen to respond with a new Action.

Accordingly, pursuant to the Interview Summary dated May 19, 2008, Applicants respectfully request Examiner Nguyen to vacate the Notice of Non-Compliant Amendment dated May 5, 2008, and respond to the Reply to Restriction Requirement filed by the Applicants on March 3, 2008.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael Q. Lee
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Date: 9/9/08

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